



Federal Communications Commission  
Washington, D.C. 20554  
JUL 26 1996

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Patsy T. Mink  
U. S. House of Representatives  
2135 Rayburn House Office Building  
Washington, D.C. 20515-1102

Dear Congresswoman Mink

Thank you for your letter of May 7, 1996, regarding the Commission's decision to freeze acceptance of paging applications.

The Commission is currently conducting a rulemaking proceeding that proposes to transition from licensing paging frequencies on a transmitter-by-transmitter basis to a geographic licensing approach, using auctions to award licenses where there are mutually exclusive applications. In conjunction with that proceeding, the Commission initially froze processing of applications for paging frequencies. The freeze, imposed on February 8, 1996, was not retroactive but applied to applications filed on or after that date.

With respect to applications that were pending at the Commission on February 8, 1996, we note that applications for 150 MHz and 450 MHz channels are placed on Public Notice for 30 days, and applications for 931 MHz channels are on Public Notice for 60 days. All applications filed with the Commission on or before February 8, 1996, have been on Public Notice. The freeze did, however, interrupt the 30 or 60 day window in some cases. The Wireless Bureau on May 10, 1996, released a Public Notice listing pending paging applications. Upon release of this Public Notice, all pending applications filed by incumbents that were not on Public Notice for the required 30 or 60 days will be deemed to be on Public Notice for the remaining amount of time. Upon expiration of these windows, the applications that are not mutually exclusive will be processed. Further, all 929 MHz private carrier paging exclusive applications filed by incumbents that were filed with the Commission on or before February 8, 1996, and are not mutually exclusive will be processed.

Further, on April 23, 1996, the Commission released a First Report and Order in WT Docket 96-18 and PP Docket 93-253, which adopted interim measures governing the licensing of paging systems and partially lifted the interim freeze for incumbent paging licensees. For your convenience and information, enclosed is a copy of the Press Release concerning the First Report and Order, which includes a summary of the principal decisions made. Specifically, small and medium sized incumbent paging companies will be permitted to expand their service areas if the proposed new site is within 65 kilometers (40 miles) of an

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The Honorable Patsy T. Mink

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authorized and operating site. These interim rules will remain in effect until the Commission adopts final rules in the paging proceeding.

Thank you for your inquiry.

Sincerely,

*Edward R. Jacobs /for*

David L. Furth  
Chief, Commercial Wireless Division  
Wireless Telecommunications Bureau

Enclosure

**PATSY T. MINK**  
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May 7, 1996

Judith Harris  
Director, Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street NW, Room 808  
Washington, D.C. 20554

Dear Ms. Harris:

Re: February 9, 1996 Notice of Proposed Filing Freeze on Pager Applications

I have been informed that the FCC has frozen all new paging applications and that this freeze has been applied retroactively on applications that were filed before the February 9 1996 notice.

What is the reason for the freeze? Why has it been applied retroactively? Is this freeze in accordance with FCC lawmaking rules?

I understand that a petition has been filed with the FCC regarding this issue. What is the current status of the petition? Has the Commission made any ruling to date?

Please investigate and inform my office of your findings. Thank you very much.

Very truly yours,



**PATSY T. MINK**  
Member of Congress